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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,752	10/30/2003	Lawrence D. Bergman	YOR920030395US1	8753
<div>7590 Robert W. Griffith Ryan, Mason &amp; Lewis, LLP 90 Forest Avenue Locust Valley, NY 11560</div>			<div>EXAMINER FOWLKES, ANDRE R</div>	
			<div>ART UNIT 2192</div>	<div>PAPER NUMBER</div>
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/09/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<p align="center"><b>Office Action Summary</b></p>	<b>Application No.</b> 10/697,752	<b>Applicant(s)</b> BERGMAN ET AL.	
	<b>Examiner</b> Andre R. Fowlkes	<b>Art Unit</b> 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-36 are pending.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al, (Huang ), U.S. Patent Pub. No. 2003/0056029.

As per claim 1, Huang discloses a **method for customizing a user-interface control of an existing application** (para. 2, lines 3-4, "methods and apparatus for customizing ... API implementations (i.e. user interfaces)", emphasis added), **comprising the steps of:**

- **recording a procedure description performed by a user in the application user-interface**(para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. recorded) and used to select the needed files", emphasis added), **and**
- **installing the user-interface control relating to the procedure description in the existing application** (para. 10:2-3, "allow a user to customize a JAR file based

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on the functionality needed... The user should be allowed to select the functionality needed without needing to know the exact classes required to allow the selected functionality").

As per claim 2, the rejection of claim is incorporated and further, Huang discloses that **the procedure description comprises at least one user action** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. recorded) and used to select the needed files", emphasis added).

As per claim 3, the rejection of claim is incorporated and further, Huang discloses that **each user action comprises at least two lower-level user actions** (para. 65:9-11, "Then, the user selections (i.e. lower level user actions) from the GUI can be collected (i.e. recorded) and used to select the needed files", emphasis added).

As per claim 4, the rejection of claim is incorporated and further, Huang discloses **transmitting at least one request for application user-interface structure information from a procedure capturer to an operating system; and receiving the application user-interface structure information from the operating system at the procedure capturer** (See figure 3, "Jar and native files", describing the user interface structure, and associated text).

As per claim 5, the rejection of claim is incorporated and further, Huang discloses **building a control registry at the procedure capturer based on the user-interface structure information** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 6, the rejection of claim is incorporated and further, Huang discloses that **receiving a notification of a system action at the procedure capturer during a user action within the application interface; and updating the control registry of the procedure capturer** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 7, the rejection of claim is incorporated and further, Huang discloses **registering the procedure capturer with the operating system to receive notification of user actions and system actions** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 8, the rejection of claim is incorporated and further, Huang discloses **receiving notification of user action within the application interface at the procedure capturer; determining a result activated by user action at the**

**procedure capturer; mapping the activated control into a generic description at the procedure capturer; adding the generic description to a procedure representation at the procedure capturer; determining if there are more user actions; and storing the procedure representation in the procedure capturer if there are no more user actions** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 9, the rejection of claim is incorporated and further, Huang discloses that **the procedure representation is stored incrementally** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 10, the rejection of claim is incorporated and further, Huang discloses **receiving the procedure description at the control installer** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 11, the rejection of claim is incorporated and further, Huang discloses **modifying the procedure description at the control installer with details of the installed control** (para. 39:7-9, "embodiments ... can logically group the class files into functional sets (i.e. modifying the procedure description)", emphasis added).

As per claim 12, the rejection of claim is incorporated and further, Huang discloses **sending a request to an operating system from a control installer to install the control; creating and installing the control in the application user-interface through the operating system; and registering a callback at the operating system using a location supplied by the control installer** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 13, the rejection of claim is incorporated and further, Huang discloses **executing an installed control** (para. 39:7-9, "embodiments ... can logically group the class files into functional sets (to be executed by the user)", emphasis added).

As per claim 14, the rejection of claim is incorporated and further, Huang discloses **receiving a user action on the installed control at an operating system; invoking a callback function in a command player by the operating system; and retrieving a procedure description at the command player** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 15, the rejection of claim is incorporated and further, Huang discloses **transmitting at least one request for application user-interface structure**

**information from a command player to an operating system; and receiving the application user-interface structure information from the operating system at the command player** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 16, the rejection of claim is incorporated and further, Huang discloses that **building a control registry at a command player** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 17, the rejection of claim is incorporated and further, Huang discloses **notifying a command player of a system action; updating a control registry at the command player; and determining if there are more user actions in a recorded procedure** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 18, the rejection of claim is incorporated and further, Huang discloses **registering with an operating system for a command player to receive notification of user actions** (para. 65:9-11, "Then, the user selections from the GUI



can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added).

As per claim 19, the rejection of claim is incorporated and further, Huang discloses **examining a user action of a procedure at a command player; mapping objects in recorded procedure onto corresponding objects in an application interface; sending actions to an operating system from the command player to emulate action in the recorded procedure; and determining if there are more user actions in the recorded procedure** (para. 65:9-11, "Then, the user selections from the GUI can be collected (i.e. captured) and used to select the needed files from the hash table (i.e. control registry)", emphasis added. para. 39:7-9, "embodiments ... can logically group the class files into functional sets (to be executed by the user)", emphasis added).

As per claim 20, the rejection of claim is incorporated and further, Huang discloses **altering the appearance of at least one existing user interface control** (See figure 11, and associate text, e.g. para. 63:1-30).

As per claim 21, the rejection of claim is incorporated and further, Huang discloses **specifying the altered appearance of the at least one existing user interface control; and displaying the at least one altered user interface control** (See figure 11, and associate text, e.g. para. 63:1-30).

As per claim 22, the rejection of claim is incorporated and further, Huang discloses that **the at least one altered user interface control is displayed on top of the at least one existing user interface control** (See figure 11, and associate text, e.g. para. 63:1-30).

As per claim 23, the rejection of claim is incorporated and further, Huang discloses that **the at least one altered user interface control is displayed in a new window** (See figure 11, and associate text, e.g. para. 63:1-30).

As per claim 24, the rejection of claim is incorporated and further, Huang discloses that **the appearance of the at least one existing user interface control is altered using semi-transparent overlays** (See figure 11, and associate text, e.g. para. 63:1-30).

As per claim 25, the rejection of claim is incorporated and further, Huang discloses that **at least one application window is replaced by at least one new window, and wherein the at least one new window comprises a control corresponding to each control in the at least one application window** (See figure 11, and associate text, e.g. para. 63:4-29).

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As per claim 26, the rejection of claim is incorporated and further, Huang discloses that **the appearance of the at least one altered user interface control is specified as an image file** (See para. 8:1 and figure 11, and associate text, e.g. para. 63:1-36).

As per claim 27, the rejection of claim is incorporated and further, Huang discloses that **the appearance of the at least one altered user interface control is specified by a program module that dynamically alters appearance based on a history of user actions** (See figure 11, and associate text, e.g. para. 63:3-22).

As per claim 28, this is another method version of the claimed method discussed above, in claim 20, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Huang, para. 2:3-65:11.

As per claims 29-35, this is an apparatus version of the claimed method discussed above, in claims 1, 4, 7, 8, 12, 13 and 20, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Huang, para. 2:3-65:11.

As per claim 36, this is an article of manufacture version of the claimed method discussed above, in claim 20, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Huang, para. 2:3-65:11.


***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre R. Fowlkes whose telephone number is (571) 272-3697. The examiner can normally be reached on Monday - Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARF



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